

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00145-RJC-DCK

USA

v.

ESTEFANO GERARDO LOPEZ

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se to reopen his case, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. (Doc. No. 37).

The defendant claims that his case was closed prematurely and that his conviction, sentence, and imprisonment are “repugnant” to several of the Amendments to the Constitution. (*Id.* at 1). However, Rule 60(b) does not provide a way to challenge judgment in a criminal case. *United States v. Jones*, 730 F. App’x 172 (4th Cir. 2018). Such a claim might be appropriately raised pursuant to 28 U.S.C. § 2255.

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 37), is **DISMISSED** without prejudice. The Clerk of Court is directed to send the defendant a copy of the Pro Se Prisoner 2255 Motion to Vacate Form at the place of his incarceration.

Signed: August 6, 2020



Robert J. Conrad, Jr.
United States District Judge

